

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
TRISURA INSURANCE COMPANY,

Civil Action No. 1:23-cv-11053-GWH-JW

Plaintiff,

–against–

BIGHORN CONSTRUCTION AND  
RECLAMATION, LLC; BIGHORN  
INVESTMENTS AND PROPERTIES, LLC;  
BIGHORN SAND & GRAVEL LLC;  
BRIDGELINK COMMODITIES LLC;  
BRIDGELINK ENGINEERING LLC;  
BRIDGELINK INVESTMENTS, LLC;  
BRIDGELINK RENEWABLE ENERGY  
DEVELOPMENT LLC; BRIDGELINK  
RENEWABLE ENERGY INVESTMENTS LLC;  
INTERMOUNTAIN ELECTRIC SERVICE, INC.;  
COLE WAYNE JOHNSON; CORD HENRY  
JOHNSON; CASSIE HAMILTON,

**AFFIRMATION OF SERVICE  
ON REGISTERED AGENT**

Defendants.

-----X

STATE OF NEW YORK     )  
  ) .ss.:  
COUNTY OF NEW YORK    )

DENNIS O’NEIL COWING, declares under penalty of perjury pursuant to 28  
U.S.C. § 1746 that the following is true and correct.

1. I am an attorney duly admitted to practice law before the courts of the State of New  
York and this Court. I am Of Counsel to the law firm McElroy, Deutsch, Mulvaney & Carpenter,  
LLP, attorneys for Plaintiff, Trisura Insurance Company (“Trisura”).

2. On February 27, 2024, I cause to be delivered into the care, custody and control of Federal Express for overnight delivery a FedEx Envelope properly addressed to:

Corporation Service Company  
1821 Logan Avenue  
Cheyenne, Wyoming 82001

bearing FedEx Tracking No.: 775334331571. (A copy of the FedEx Transaction Record of that delivery accompanies this Affirmation as Exhibit “1.”) The contents of that FedEx Envelope were as follows:

3. Your affiant’s February 27, 2024 cover letter addressed to Corporate Service Company (“CSC”) stating that the enclosed Summons and Amended Complaint were being served on it as Registered Agent for Intermountain Electric Service Inc. (“Intermountain”) (A copy of that letter accompanies this Affirmation as Exhibit “2.”)

4. As explained in my cover letter, enclosed with the letter was a copy of the State of Wyoming, Secretary of State, Filing Information, identifying Intermountain as the intended defendant recipient of the Summons, Amended Complaint, Civil Cover Sheet and Amended or Supplemental Rule 7.1 Statement (“Summons and Amended Complaint”) for service on the intended recipient Intermountain and that CSC was the Registered Agent of Intermountain according to the Wyoming Secretary of State. (A copy of the Wyoming Secretary of State’s Filing Information accompanies this Affirmation as Exhibit “2-A.”)

5. Besides the cover letter and Wyoming Secretary of State Filing Information, defendant Intermountain was also clearly indicated as the intended recipient of the service in the “Rider to Summons” by my drawing a blue arrow pointing at the intended recipient defendant Intermountain. (A copy of the Summons and Amended Complaint that was enclosed with my cover letter accompanies this Affirmation as Exhibit “2-B.” See Exhibit 2-B, page 3 of 4 of the filed

Summons with the heading “Rider to Summons” and the blue arrow pointing at Intermountain.) As also explained in my cover letter, a copy of the Summons and Amended Complaint was enclosed as service on CSC as Registered Agent for Intermountain, and stated that Intermountain was identified in the “See Rider to Summons for other Defendants.”

6. On February 28, 2023, at 10:08 a.m., the FedEx Envelope, bearing FedEx Tracking No.: 775334331571, containing my aforesaid cover letter and accompanying documents (Exhibit 2, 2-A and 2-B) were delivered to Corporation Service Company at 1821 Logan Avenue, Cheyenne, Wyoming 82001 and signed for by A. Manzanitas, Receptionist/Front Desk. (A copy of the FedEx proof-of delivery documentation to CSC office accompanies this Affirmation as Exhibit “3.”)

7. The reason for this service was because Plaintiff understood that service had already been made on CSC as Registered Agents in Wyoming for Intermountain on February 6, 2024. (A copy of an Affidavit of Service on Intermountain c/o CSC on Isaiah Rose, the Assistant of the authorized Agent authorized to accept service thereof, personally, is contained in Exhibit “4.”) Sufficient time had passed such that the Affidavit of Service was uploaded into the Docket for that service on Thursday, February 22, 2024 (Doc. No.: 13), in anticipation of making application for a Clerk’s Certificate of Default a few days after Intermountain’s answer was due, February 27, 2024, as shown in entry 13 on the Docket for this action. (A copy of the Docket page showing the filing of that Affidavit of Service on February 25, 2024 follows in Exhibit “4.”)

8. On or about February 26, 2024, however, I received an internal email from clerical personnel in the Firm that attached a copy of a letter received on or about that day from CSC advising that the service of process had been “rejected” because “The legal process MUST specifically indicate which party is being served. Sufficient copies must be furnished so that we

may transmit one copy for each defendant if multiple parties are being served.” (A copy of CSC’s rejection letter accompanies this Affirmation as Exhibit “5,” emphasis in original.) Based on information previously obtained with respect to the entities named as defendants, CSC was a registered agent for only one, Intermountain. All other entities were represented by different registered agents. However, despite the fact that it was only a registered agent for that one defendant, Intermountain, CSC rejected service.

9. After service had been rejected, I spoke with a representative of CSC about the rejection. I was informed that so long as I clearly identified the defendant intended to be served through CSC, CSC would forward the service papers to their customer. I was also told that CSC accepted papers for service of process delivered to its office that was listed as the customer’s registered agent by Federal Express.

10. Based on that representation, I prepared the cover letter (Exhibit 2) with a copy of the Wyoming Secretary of States Filing Information for Intermountain showing CSC office at 1821 Logan Avenue, Cheyenne, Wyoming 82001 as Intermountain’s register agent (Exhibit 2-A), together with the service documents accompanying this Affirmation as Exhibit 2-B and sent same for delivery on CSC office in Cheyenne, Wyoming as identified in the Filing Information maintained by the Wyoming Secretary of State. Thereupon, service was made on CSC as Registered Agent of for the Defendant, Intermountain Electric Service, Inc.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief, that the amount claimed is justly due to plaintiff, and that no part thereof has been paid.

Dated: New York, New York  
March 9, 2024

/s/ Dennis O'Neil Cowling  
DENNIS O'NEIL COWLING  
MCELROY, DEUTSCH, MULVANEY & CARPENTER, LLP  
*Attorneys for Plaintiff Trisura Insurance Company*  
225 Liberty Street, 36th Floor  
New York, New York 10281  
(212) 483-9490  
[dcowling@mdmc-law.com](mailto:dcowling@mdmc-law.com)

# **Exhibit 1**

# Transaction Record

**TRACKING NO.:**

775334331571

**SHIP DATE:**

Feb 27, 2024

**ESTIMATED SHIPPING CHARGES:**

26.00 USD

**From address**

Dennis O'Neil Cowling, Esq.  
McElroy, Deutsch & Mulvaney  
225 Liberty Street  
36th Floor  
10281 NY New York  
US  
Phone: 2124839490

**To address**

Corporation Service Company  
Corporation Service Company  
1821 Logan Avenue  
82001 WY CHEYENNE  
US  
Phone: 9999999999

**Package Information**

Pieces	Weight	Dimensions (LxWxH)	Carriage value	Package options
1 x	1.00 lb			n/a
<b>Packaging type:</b> FedEx Envelope		<b>Service:</b> FedEx Priority Overnight	<b>Pickup / drop-off type:</b> I have already scheduled a pickup at my location	

**Billing information**

Bill transportation cost to:	*****119	P.O. No.:	Dennis O'Neil Cowling
Bill duties, taxes and fees to:		Invoice No.:	
Your reference:	S0163-4039	Department No.:	

**Please note:** This transaction record is neither a statement nor an invoice, and does not confirm shipment tendered to FedEx or payment. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1000, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits; Consult the applicable FedEx Service Guide for details. The estimated shipping charge may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable FedEx Service Guide or the FedEx Rate Sheets for details on how shipping charges are calculated.

## **Exhibit 2**



## McElroy Deutsch

225 Liberty Street  
36th Floor  
New York, NY 10281  
T: 212.483.9490 | F: 212.483.9129  
MDMC-LAW.COM

DENNIS O'NEIL COWLING  
Direct Dial: 646.430.9181  
Email Address: [dcowling@mdmc-law.com](mailto:dcowling@mdmc-law.com)

ADMITTED IN NEW YORK

February 27, 2024

By Federal Express

Corporation Service Company  
1821 Logan Avenue  
Cheyenne, WY 82001

Re: Trisura v. Bighorn Construction and Reclamation, LLC, *et al.*  
***Only for service on Defendant: Intermountain Electric Service Inc.***  
USDC SDNY Case No.: 23-cv-11053  
MDMC File No.: S0163-4039

Dear Sir or Madam:

Accompanying this letter is the Summons and Amended Complaint, Civil Cover Sheet and Amended or Supplemental Rule 7.1 Statement that is being served on you as Registered Agent for the defendant **Intermountain Electric Service Inc.** in Trisura v. Bighorn Construction and Reclamation, LLC, *et al.*, Case No.: 23-cv-11053 pending in the United States District Court for the Southern District of New York. Intermountain is identified in the "See Rider to Summons for other Defendants" as indicated in the "To" section of the Summons two pages after the Summons itself.

Please see the accompanying State of Wyoming, Secretary of State, Filing Information identifying your customer, Intermountain Electric Service Inc., with a P.O. Box 2169 in Rock Springs as shown and highlighted in the Summons to be the same entity with its Principal Address as 85 Purple Sage, Rock Springs, Wyoming 82901.

You are hereby notified that the intended defendant recipient at your office is only **Intermountain Electric Service Inc.** as more fully set forth in the Secretary of State's Filing Information. If you have any questions or concerns, please contact me directly.

Very truly yours,

McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP

*/s/ Dennis O'Neil Cowling*

DENNIS O'NEIL COWLING

## **Exhibit 2-A**

**STATE OF WYOMING \* SECRETARY OF STATE  
BUSINESS DIVISION**

Herschler Bldg East, Ste.100 & 101, Cheyenne, WY 82002-0020

Phone: 307-777-7311 · Website: <https://sos.wyo.gov> · Email: [business@wyo.gov](mailto:business@wyo.gov)

**Filing Information**



Please note that this form **CANNOT** be submitted in place of your Annual Report.

Name **Intermountain Electric Service Inc.**

Filing ID **Redacted**

Type Profit Corporation

Status

Active

**General Information**

Old Name Intermountain Electric Service

Fictitious Name

Sub Status

Current

Standing - Tax

Good

Standing - RA

Good

Standing - Other

Good

Sub Type

Formed in Wyoming

Filing Date

07/08/1975 12:00 AM

Term of Duration Perpetual

Delayed Effective Date

Inactive Date

**Share Information**

Common Shares 50,000

Preferred Shares

Additional Stock N

Par Value 0.0000

Par Value 0.0000

**Principal Address**

85 Purple Sage  
Rock Springs, Wyoming 82901

**Mailing Address**

P.O. Box 2169  
Rock Springs, WY 82902

**Registered Agent Address**

Corporation Service Company  
1821 Logan Ave  
Cheyenne, WY 82001

**Parties**

Type Name / Organization / Address

**Notes**

Date Recorded By Note

**Filing Information****Please note that this form CANNOT be submitted in place of your Annual Report.****Name** Intermountain Electric Service Inc.**Filing ID** Redacted**Type** Profit Corporation**Status**

Active

**Most Recent Annual Report Information**

Type	Original	AR Year	2023
License Tax	\$60.00	AR Exempt	N
AR Date	9/13/2023 8:52 AM	AR ID	09100977
Web Filed	Y		

**Officers / Directors****Type** Name / Organization / Address

President / Director COLE W JOHNSON 1301 OLD TIN TOP RD., WEATHERFORD, TX 76087

Secretary / Director CORD H JOHNSON 1677 CENTER POINT RD., WEATHERFORD, TX 76087

**Principal Address**85 Purple Sage  
Rock Springs, Wyoming 82901**Mailing Address**P.O. Box 2169  
Rock Springs, WY 82902**Annual Report History**

Num	Status	Date	Year	Tax
00324967	Original	01/01/1800	1995	\$800.00
00352156	Original	01/01/1800	1996	\$800.00
00376560	Original	01/01/1800	1997	\$1,200.00
00404352	Original	01/01/1800	1998	\$1,200.00
00429528	Original	08/17/1999	1999	\$1,200.00
00474379	Original	01/31/2001	2000	\$985.68
00515798	Original	02/25/2002	2001	\$1,286.46
00542834	Original	08/20/2002	2002	\$1,692.54
00583722	Original	08/07/2003	2003	\$1,435.37
00623650	Original	07/06/2004	2004	\$1,624.56
00670961	Original	07/08/2005	2005	\$1,641.38
00720288	Original	06/26/2006	2006	\$1,819.92
00790116	Original	07/02/2007	2007	\$2,396.51
00893681	Original	06/04/2008	2008	\$2,875.37
01005199	Original	04/23/2009	2009	\$3,446.12
01177261	Original	06/24/2010	2010	\$2,462.54
01335341	Original	05/12/2011	2011	\$3,071.22

**Filing Information****Please note that this form CANNOT be submitted in place of your Annual Report.****Name Intermountain Electric Service Inc.****Filing ID** **Redacted**

Type	Profit Corporation	Status			Active
01566850	Original	07/10/2012	2012	\$2,953.88	
01864466	Original	07/11/2013	2013	\$3,068.27	
02029248	Original	05/07/2014	2014	\$3,303.19	
02174279	Amendment	01/30/2015	2014	\$3,303.19	
02260650	Original	06/19/2015	2015	\$3,402.16	
02523049	Original	07/15/2016	2016	\$3,312.38	
02852263	Original	06/27/2017	2017	\$3,236.01	
03657939	Original	06/26/2018	2018	\$3,293.14	
04765667	Original	07/10/2019	2019	\$2,443.77	
Principal Address 1 Changed From: 701 S Federal Blvd To: 701 S Federal Blvd.					
Principal State Changed From: WY To: Wyoming					
05763317	Original	05/13/2020	2020	\$2,401.51	
Principal Address 1 Changed From: 701 S Federal Blvd. To: 85 Purple Sage					
Principal City Changed From: Riverton To: Rock Springs					
Principal Postal Code Changed From: 82501 To: 82901					
06249638	Original	06/02/2021	2021	\$2,323.05	
07424570	Original	07/01/2022	2022	\$1,886.63	
07743335	Amendment	10/15/2022	2022	\$0.00	
08012987	Amendment	12/30/2022	2022	\$0.00	
09100977	Original	09/13/2023	2023	\$60.00	

**Amendment History**

ID	Description	Date
2023-004371161	Reinstatement - Tax	09/13/2023
Filing Status Changed From: Inactive - Administratively Dissolved (Tax) To: Active		
2023-004357871	Dissolution / Revocation - Tax	09/08/2023
Filing Status Changed From: Active To: Inactive - Administratively Dissolved (Tax)		
Inactive Date Changed From: No Value To: 09/08/2023		
2023-004256559	Delinquency Notice - Tax	07/02/2023
2021-003276976	Change of Agent	07/21/2021
Registered Agent # Changed From: 0198289 To: 0173386		
Registered Agent Organization Name Changed From: No Value To: Corporation Service Company		
Registered Agent First Name Changed From: Willis To: No Value		
Registered Agent Middle Name Changed From: V To: No Value		

**Filing Information****Please note that this form CANNOT be submitted in place of your Annual Report.**Name **Intermountain Electric Service Inc.**Filing ID **Redacted**

Type Profit Corporation

Status

Active

Registered Agent Last Name Changed From: Hall To: No Value

Registered Agent Physical Address 1 Changed From: 85 Purple Sage To: 1821 Logan Ave

Registered Agent Physical Address 2 Changed From: PO Box 2169 To: No Value

Registered Agent Physical City Changed From: Rock Springs To: Cheyenne

Registered Agent Physical County Changed From: Sweetwater To: Laramie

Registered Agent Physical Postal Code Changed From: 82901 To: 82001

2020-002829544 Change of Agent

05/18/2020

Registered Agent # Changed From: 0002250 To: 0198289

Registered Agent First Name Changed From: Donald To: Willis

Registered Agent Middle Name Changed From: C To: V

Registered Agent Last Name Changed From: Larson To: Hall

Registered Agent Physical Address 1 Changed From: 701 S Federal Blvd To: 85 Purple Sage

Registered Agent Physical Address 2 Changed From: No Value To: PO Box 2169

Registered Agent Physical City Changed From: Riverton To: Rock Springs

Registered Agent Physical County Changed From: Fremont To: Sweetwater

Registered Agent Physical Postal Code Changed From: 82501 To: 82901

2019-002579659 Delinquency Notice - Tax

07/02/2019

2019-002523023 Name Change

03/27/2019

Filing Name Changed From: Intermountain Electric Service To: Intermountain Electric Service Inc.

2016-001920700 Delinquency Notice - Tax

07/02/2016

2013-001512929 Delinquency Notice - Tax

07/02/2013

2012-001350277 Delinquency Notice - Tax

07/02/2012

2007-000625682 Delinquency Notice - Tax

07/01/2007

2006-000523522 Common Amendment

10/13/2006

2006-000523521 Change of Agent

10/13/2006

See Filing ID Initial Filing

07/08/1975

## **Exhibit 2-B**

AO 440 (Rev. 06/12) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Southern District of New York ☒

TRISURA INSURANCE COMPANY,

*Plaintiff(s)*

v.

Civil Action No. 23-cv-11053

Bighorn Construction and Reclamation, LLC; Bighorn  
Investments and Properties, LLC; Bighorn Sand &  
Gravel LLC; Bridgelink Commodities LLC; Bridgelink  
Engineering LLC; Bridgelink Investments, LLC; et al.*Defendant(s)*

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*Bighorn Construction and Reclamation, LLC  
777 Main Street, Suite 2800  
Forth Worth, TX 76102

[See Rider to Summons for other Defendants.]

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

McElroy, Deutsch, Mulvaney & Carpenter, LLP  
225 Liberty Street, 36th Floor  
New York, NY 10281

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 12/22/2023

/S/ V. BRAHIMI

*Signature of Clerk or Deputy Clerk*



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

Rider to Summons

BIGHORN INVESTMENTS AND PROPERTIES, LLC  
777 Main Street, Suite 2800  
Fort Worth, TX 76102

BIGHORN SAND & GRAVEL LLC  
777 Main Street, Suite 2800  
Fort Worth, TX 76102

BRIDGELINK COMMODITIES LLC  
777 Main Street, Suite 2800  
Fort Worth, TX 76102

BRIDGELINK ENGINEERING LLC  
777 Main Street, Suite 2800  
Fort Worth, TX 76102

BRIDGELINK INVESTMENTS, LLC  
777 Main Street, Suite 2800  
Fort Worth, TX 76102

BRIDGELINK RENEWABLE ENERGY DEVELOPMENT LLC  
777 Main Street, Suite 2800  
Fort Worth, TX 76102

BRIDGELINK RENEWABLE ENERGY INVESTMENTS LLC  
777 Main Street, Suite 2800  
Fort Worth, TX 76102

INTERMOUNTAIN ELECTRIC SERVICE, INC.  
P.O. Box 2169  
Rock Springs, WY 82902



COLE WAYNE JOHNSON  
4204 S. County Rd. 1128  
Midland, TX 79706

CORD HENRY JOHNSON  
1677 Center Point Rd.  
Weatherford, TX 76087

CASSIE HAMILTON,  
1677 Center Point Rd.  
Weatherford, TX 76087

**For the Balance of Exhibit 2-B to Exhibit “23”**

(the Amended Complaint, Civil Cover Sheet and  
Amended or Supplemental Rule 7.1 Statement)

**Please see Exhibit “1”**

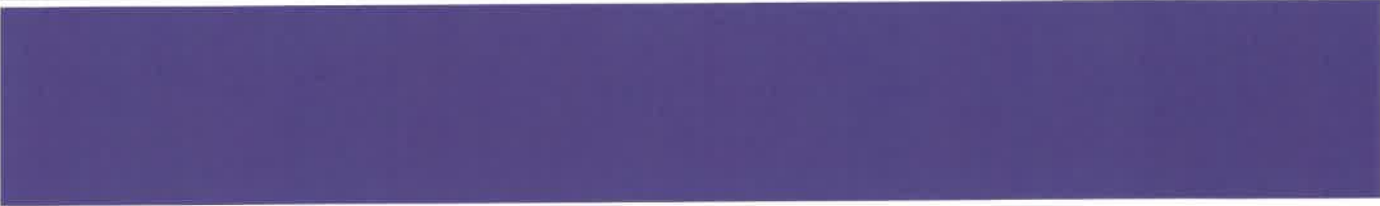
## **Exhibit 3**

**Dennis Cowling**

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**From:** TrackingUpdates@fedex.com  
**Sent:** Wednesday, February 28, 2024 12:14 PM  
**To:** Dennis Cowling  
**Subject:** FedEx Shipment 775334331571: Your package has been delivered

This message originated from outside your organization



Hi. Your package was  
delivered Wed, 02/28/2024 at  
10:08am.

Delivered to 1821 LOGAN, CHEYENNE, WY 82001  
Received by A.MANZANITAS

**OBTAIN PROOF OF DELIVERY**

How was your delivery ?

TRACKING NUMBER [775334331571](#)

<b>FROM</b>	McElroy, Deutsch & Mulvaney 225 Liberty Street 36th Floor New York, NY, US, 10281
<b>TO</b>	Corporation Service Company Corporation Service Company 1821 Logan Avenue CHEYENNE, WY, US, 82001
<b>PURCHASE ORDER NUMBER</b>	Dennis O'Neil Cowling
<b>REFERENCE</b>	S0163-4039
<b>SHIPPER REFERENCE</b>	S0163-4039
<b>SHIP DATE</b>	Tue 2/27/2024 03:37 PM
<b>DELIVERED TO</b>	Receptionist/Front Desk
<b>PACKAGING TYPE</b>	FedEx Envelope
<b>ORIGIN</b>	New York, NY, US, 10281
<b>DESTINATION</b>	CHEYENNE, WY, US, 82001
<b>SPECIAL HANDLING</b>	Deliver Weekday
<b>NUMBER OF PIECES</b>	1
<b>TOTAL SHIPMENT WEIGHT</b>	1.00 LB
<b>SERVICE TYPE</b>	FedEx Priority Overnight®

**FedEx Delivery  
Manager® puts you  
in control**

Enroll for free and get more visibility  
and control for your deliveries from  
start to finish. And if you need to  
make a return, our network of

**DELIVERED**

Wednesday

2/28/24 at 10:08 AM

Signed for by: A.MANZANITAS



[Obtain proof of delivery](#)

**DELIVERY STATUS**

Delivered 



**TRACKING ID**

775334331571   

**FROM**

McElroy, Deutsch & Mulvaney  
Dennis O'Neil Cowling, Esq.  
225 Liberty Street 36th Floor  
New York, NY US 10281

2174838490



Shipping 

Tracking 

Design & Print 

Locations 

Support 

Dayse 



Want updates on this shipment? Enter your email and we will do the rest!

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**MORE OPTIONS**

Manage Delivery 

**WE HAVE YOUR PACKAGE**

NEW YORK, NY  
2/27/24 3:37 PM

**ON THE WAY**

CHEYENNE, WY  
2/28/24 9:18 AM

**OUT FOR DELIVERY**

CHEYENNE, WY  
2/28/24 9:40 AM

**DELIVERED**

Corporation Service Company  
Corporation Service Company  
1821 LOGAN  
CHEYENNE, WY US 82001  
9999999999

Delivered  
2/28/24 at 10:08 AM





## **Exhibit 4**

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

Job #: 2024954

Attorney: McElroy, Deutsch, Mulvaney & Carpenter, LLP PH: (212) 483-9490  
Address: 225 Liberty Street, 36th Floor New York, NY 10281

Trisura Insurance Company.

VS

Bighorn Construction and Reclamation, LLC, et al.,

Plaintiff

Defendants

Civil Action Number: 23-cv-11053

Date Filed:

Client's File No.: T0817 1001

Court Date:

Court Time:

STATE OF WYOMING, COUNTY OF LARAMIE, SS:  
Gregory Goodwine, being sworn says:

## AFFIDAVIT OF SERVICE

Deponent is not a party herein; is over the age of 18 years and resides in the State of Wyoming.

On 02/06/2024, at 3:55 PM at: 1821 Logan Avenue, Cheyenne, WY 82001 Deponent served the within Summons in a Civil Action, Rider to Summons, Amended Complaint, Civil Cover Sheet, Civil Cover Rider Sheet and Amended or Supplemental Rule 7.1 Statement

On: Intermountain Electric Service, Inc., c/o: Corporation Service Company, the therein named Defendant.

☐ #1 INDIVIDUAL

By delivering a true copy of each to said recipient personally; Deponent knew the person so served to be the person described in as said recipient therein

☐ #2 SUITABLE AGE PERSON

By delivering thereat a true copy of each to ( ), a person of suitable age and discretion. Said premises is recipient's ( ) actual place of business / employment ( ) dwelling house (usual place of abode) within the state.

☐ #3 AFFIXING TO DOOR

By affixing a true copy of each to the door of said premises which is defendants ( ) actual place of business / employment ( ) dwelling house (usual place of abode) within the state. Deponent was unable with due diligence to find defendant or person of suitable age and discretion thereat having called there:

☒ #4 Corporation or Partnership or Trust or LLC or Entity

By delivering thereat a true copy of each to Isaiah Rose personally. Deponent knew said corporation/partnership/trust/LLC/Entity so served to be the corporation/partnership/trust/LLC/Entity described in said aforementioned document as said defendant and knew said individual to be Assistant of authorized Agent (authorized to accept service) thereof.

☐ #5 MAILING

On , deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known ( ) Actual Place of Residence ( ) Actual Place of Business, and deposited the envelope in an official depository, personally or via agency, under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "personal and confidential" and did not indicate on the outside, thereof by return address or otherwise that the communication was from an attorney or concerned an action against the defendant.

☒ #6 DESCRIPTIONSex: Male Color of skin: Black Color of hair: Black Glasses:  
Age: 30 - 40 Yrs Height: 5ft 7in - 5ft 9in Weight: 170-180 lbs. Other Features:☐ #7 MILITARY SERVICE

I asked the person spoken to whether defendant was in active military service of the United States or the State of New York in any capacity whatever and received a negative reply. The source of my information and the grounds of my belief are the conversations and observations above narrated.

☐ #8 WITNESS FEES

Subpoena Fee Tendered in the amount of

☐ #9 OTHER

Sworn to before me on 15th day of February 2024

VALERIE VASQUEZ  
NOTARY PUBLIC  
STATE OF WYOMING  
COMMISSION ID: 165908  
MY COMMISSION EXPIRES 08/11/2027

Gregory Goodwine

DATE: PROCESS SERVICE, LLC, 646 SOUTH 9TH STREET, LINDENHURST, NY 11757

		<b>affiliates?", select the Yes or No radio button - If Yes - enter the corporate parent/other affiliate, click the Search button - select the correct corporate parent/other affiliate name from the search results list or if no person found, create a new corporate parent/other affiliate - select the party to whom the corporate parent/other affiliate should be linked - add corporate parent/other affiliate names one at a time - name and identify the citizenship of every individual or entity whose citizenship is attributed to that party or intervenor. (kw) (Entered: 12/26/2023)</b>
12/28/2023	<a href="#"><u>8</u></a>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Trisura Group Ltd., Corporate Parent Trisura (US) Holding Company for Trisura Insurance Company. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 12/28/2023)
01/10/2024	<a href="#"><u>9</u></a>	AMENDED COMPLAINT amending <a href="#"><u>5</u></a> Complaint,, against Bighorn Construction and Reclamation, LLC, Bighorn Investments and Properties, LLC, Bighorn Sand & Gravel LLC, Bridgelink Commodities LLC, Bridgelink Engineering LLC, Bridgelink Investments, LLC, Bridgelink Renewable Energy Development LLC, Bridgelink Renewable Energy Investments LLC, Cassie Hamilton, Intermountain Electric Service, Inc., Cole Wayne Johnson, Cord Henry Johnson.Document filed by Trisura Insurance Company. Related document: <a href="#"><u>5</u></a> Complaint,,. (Attachments: # <a href="#"><u>1</u></a> Exhibit A: Indemnity Agreement in favor of Plaintiff, # <a href="#"><u>2</u></a> Exhibit B-1: Bonds, Performance and Payment, TIC01702, # <a href="#"><u>3</u></a> Exhibit B-2: Rider No. 1 to Bonds TIC01702, # <a href="#"><u>4</u></a> Exhibit C: Collateral Demand Letter to Defendants).(Cowling, Dennis) (Entered: 01/10/2024)
01/10/2024	<a href="#"><u>10</u></a>	AMENDED RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Trisura Group Ltd., Corporate Parent Trisura (US) Holding Company for Trisura Insurance Company. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 01/10/2024)
02/22/2024	<a href="#"><u>11</u></a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Bighorn Construction and Reclamation, LLC served on 1/25/2024, answer due 2/15/2024. Service was accepted by Cynthia Jackson of URS Agents, LLC, Registered Agent. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/22/2024)
02/22/2024	<a href="#"><u>12</u></a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Bighorn Investments and Properties, LLC served on 1/25/2024, answer due 2/15/2024. Service was accepted by Cynthia Jackson of URS Agents, LLC, Registered Agent. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/22/2024)
02/22/2024	<a href="#"><u>13</u></a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Intermountain Electric Service, Inc. served on 2/6/2024, answer due 2/27/2024. Service was accepted by Isaiah Rose of Corporation Service Company, Assistant of Authorized Registered Agent to accept service of process. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/22/2024)
02/23/2024	<a href="#"><u>14</u></a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Bighorn Sand & Gravel LLC served on 1/12/2024, answer due 2/2/2024. Service was accepted by Heather Stewart, Corporate Specialist, URS Agents LLC, Delaware, authorized to accept service on Defendant's behalf. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/23/2024)
02/23/2024	<a href="#"><u>15</u></a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Service was accepted by Janice Brown, Agent for URS Agents LLC, Texas, authorized to accept service on Defendant's behalf. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/23/2024)
02/23/2024	<a href="#"><u>16</u></a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Bridgelink Commodities LLC served on 1/12/2024, answer due 2/2/2024. Service was accepted by

## **Exhibit 5**



HZC  
Transmittal Number: 28499832

## Rejection of Service of Process

### Return to Sender Information:

John W Morris null  
McElroy, Deutsch, Mulvaney & Carpenter, LLP  
225 Liberty Street, 36th Fl  
New York, NY 10281

<b>Date:</b>	02/08/2024
<b>Party Served:</b>	Unclear
<b>Title of Action:</b>	Trisura Insurance Company vs. Bighorn Construction and Reclamation, LLC
<b>Case/Reference No:</b>	1:23-cv-11053-GHW-JW

The service of process received for the party served, as listed above, cannot be forwarded to the intended party for the reason listed below:

The legal process MUST specifically indicate which party is being served. Sufficient copies must be furnished so that we may transmit one copy for each defendant if multiple parties are being served. We cannot make copies of process if you have not provided sufficient copies. We also cannot choose against whom, among a group of potential defendants, service is directed if none among them are specifically designated as the entity being served.

Our customer records are confidential. We do not release any information related to our customers, agent representation or service of process received. Please contact the Secretary of State or other appropriate agency for more information.

For an electronic copy of the identified service, send your request by e-mail to [sop@cscglobal.com](mailto:sop@cscglobal.com). Please include the transmittal number located in the upper right-hand corner of this letter.

251 Little Falls Drive, Wilmington, Delaware 19808-1674  
(888) 690-2882 | [sop@cscglobal.com](mailto:sop@cscglobal.com)